

1 **MAYER BROWN LLP**
2 JOHN NADOLENCO (SBN 181128)
3 *jnadolenco@mayerbrown.com*
4 EUGENE VOLOKH (SBN 194464)
5 *evolokh@mayerbrown.com*
350 South Grand Avenue, 25th Floor
Los Angeles, California 90071-1503
Telephone: (213) 229-9500
Facsimile: (213) 625-0248

6 A. JOHN P. MANCINI (admitted *pro hac vice*)
jmancini@mayerbrown.com
7 ALLISON LEVINE STILLMAN*
astillman@mayerbrown.com
8 1221 Avenue of the Americas
New York, New York 10020-1001
9 Telephone: (212) 506-2295
Facsimile: (212) 849-5895

10 ARCHIS A. PARASHARAMI*
11 *aparasharami@mayerbrown.com*
12 DANIEL E. JONES*
13 *djones@mayerbrown.com*
14 1999 K Street, N.W.
15 Washington, D.C. 20006-1101
16 Telephone: (202) 263-3328
17 Facsimile: (202) 263-5328

15 || **Pro hac vice application to be filed*

16 || Attorneys for Defendant SPOTIFY USA INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

20 DAVID LOWERY, individually
21 and on behalf of himself and all
others similarly situated.

Plaintiffs.

Defendant.

Case No. 2:15-cv-09929-BRO-RAO

**DEFENDANT SPOTIFY USA INC.'S
NOTICE OF MOTION AND MOTION
TO STRIKE CLASS ALLEGATIONS
PURSUANT TO FED. R. CIV. P. 12(f)**

Date: April 4, 2016
Time: 1:30 pm
Judge: Hon. Beverly Reid O'Connell

1 **TO THE CLERK AND ALL COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE THAT on April 4, 2016 at 1:30 p.m. or as soon
3 thereafter as this may be heard, in Courtroom 14 of this Court, located at 312 North
4 Spring Street, Los Angeles, CA 90012, before the Honorable Beverly Reid
5 O'Connell, Defendant Spotify USA, Inc. will and hereby does move the Court,
6 pursuant to Fed. R. Civ. P. 12(f), to strike the class allegations in Plaintiff's
7 Complaint.

8 This Motion is made following the conference of counsel pursuant to L.R. 7-
9 3, which took place on February 5, 2016. The Motion is based on this notice, the
10 memorandum of law in support of the motion filed concurrently herewith, as well
11 as any supporting declarations and exhibits, the files and records in this action, and
12 any further evidence or argument that this Court may receive at or before the
13 hearing.

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